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PATENT  
Customer No. 22,852  
Attorney Docket No. 06530.0317

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Malka BERNDT	)	Group Art Unit: 3739
	)	
Application No.: 10/720,190	)	Examiner: Unknown
	)	
Filed: November 25, 2003	)	
	)	
For: MEDICAL DEVICE WITH VISUAL	)	Confirmation No.: 4220
INDICATOR AND RELATED	)	
METHODS OF USE	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. A copy of any listed foreign patent documents and non-patent literature documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.


If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 15, 2005

By: \_\_\_\_\_

  
Michael W. Kim  
Reg. No. 51,880

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

**Complete if Known**

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1	Application Number	10/720,190
				Filing Date	11/25/2003
				First Named Inventor	Malka BERNDT
				Art Unit	3739
				Examiner Name	Not Assigned Yet
				Attorney Docket Number	06530.0317

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,359,993 A	11-01-1994	Slater et al.	
		US-5,518,927 A	05-21-1996	Malchesky et al.	
		US-4,382,063 A	05-03-1983	Romito et al.	

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		International Search Report and Written Opinion in PCT/US2004/037914, dated February 11, 2005.	
		Copy of a chart of inks from <a href="http://www.tempil.com/Sterilizationlinks.html">http://www.tempil.com/Sterilizationlinks.html</a> on or before July 30, 2003.	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.